

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

SHANNON PEREZ, et al., §  
Plaintiffs, §  
§  
v. § CIVIL ACTION NO.  
§ 11-CA-360-OLG-JES-XR  
STATE OF TEXAS, et al., § [Lead Case]  
Defendants. §

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**ADVISORY ON REMAINING ISSUES IN CONGRESSIONAL CASE**

The Rodriguez Plaintiffs, the NAACP Plaintiffs, the LULAC Plaintiffs, and the African-American Congresspersons (collectively, “Joint Plaintiffs”) submit this advisory in response to the Court’s direction that the parties advise it by no later than August 29, 2018, as to “what, if any, issues remain in this case.” ECF No. 1586. The list of issues below is limited to the congressional part of this case:

**REMAINING ISSUES**

1. Whether the plaintiffs are to be provided relief under Section 3(c) of the Voting Rights Act, 52 U.S.C. § 10302(c), for the Fourteenth Amendment violations found by the Court with respect to certain districts in Plan C185. *See Amended Order, May 2, 2017* (ECF No. 1390) at 164-65 (holding that Plan C185 violates Fourteenth Amendment as to CDs 26, 35, and other district lines drawn in the Dallas-Fort Worth area).
2. Whether the plaintiffs are entitled to an award of attorney fees, expert fees, and litigation expenses under 42 U.S.C. § 1988(b) and 52 U.S.C. § 103010(e) for any judicial relief provided concerning: (a) the 2012 Texas congressional elections; or (b) 52 U.S.C. § 10302(c).

## REMAINING JUDICIAL ACTION

With respect to Issue No. 1 (the bail-in issue), the Joint Plaintiffs will provide briefing on this issue, should the Court direct it, on whatever schedule the Court decides is appropriate. Issue No. 2 (the fee issue) only becomes ripe upon issuance of a final judgment, *see* W.D. Tex. Loc. R. CV-7j, so briefing on the issue is premature at this point.

Respectfully submitted,

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#### **CERTIFICATE OF SERVICE**

I hereby certify that on the 29th day of August, 2018, I filed a copy of the foregoing for service on counsel of record in this proceeding through the Court's CM/ECF system.

/s/ Renea Hicks  
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